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Please deliver this and the following pages to:

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Attorney: John Gillon
Telecopier No.: 703-308-6916
U.S. Serial No.: 09/038,470
Client/Matter No.: CELG-0085
Sender's Name: Micheal P. Straher
Total Pages to Follow: 5

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COVER MESSAGE:

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Attached hereto is/are the following documents:

- 1) Continued Prosecution Application Request
- 2) Authorization to Charge Deposit Account for \$412.00

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERY OF THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU

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DOCKET NO.: CELG-0085

PATENT

#20

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Mehta et al.

Serial No.: 09/038,470

Group No.: 1615

Filing Date: March 11, 1998

Examiner: W. Benston, Jr.

For: Delivery of Multiple Doses of Medications

CERTIFICATE OF FACSIMILE TRANSMISSION or

DATE OF TRANSMITTAL: October 15, 2002

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TYPED NAME Michael P. Straher

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Assistant Commissioner for Patents
Washington DC 20231

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CONTINUED PROSECUTION APPLICATION REQUEST
AND REQUEST FOR EXTENSION OF TIME

This is a request for filing a Continued Prosecution Patent Application under 37 C.F.R. § 1.53(d) based upon the above-referenced, pending patent application. It is requested that the file jacket and contents of the above-referenced, prior application including the specification, drawings, and oath or declaration, be used to constitute the new application and that the same serial number be assigned thereto for identification purposes.

- ☐ Request for Nonpublication is attached. The invention(s) disclosed in the present application filed herewith has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing. Thus, pursuant to 35 U.S.C. § 122(b)(2)(B)(i), Applicant(s) request that the above-identified patent application not

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be published.

☒ Drawing view to publish: Figure 1.

☒ It is requested that the above-referenced application be expressly abandoned after this application is deemed to be completely on file and after granting any necessary extensions of time.

☒ The above-referenced application is not a provisional application.

☒ The above-referenced application is complete and was filed either as an originating United States application or as the national stage of a PCT application in compliance with 35 U.S.C. 371.

☒ The above-referenced application has not been abandoned and proceedings have not been terminated therein. No issue fee has been paid in that application.

☒ The inventors of this application are:

☒ The same as those named in the above-referenced application on the date of the filing of this application;

☐ Fewer than all of the inventors named in the above-referenced application on the date of the filing of this application. This paper is accompanied by a statement requesting deletion of the name or names of the person or persons who are not inventors of the invention being claimed in this application.

☒ Enter in this application the amendment previously filed on March 7, 2001, but not yet entered in the above-referenced application.

☐ A preliminary amendment accompanies this application. This amendment is in the form of an amendment to the prior application as it existed on the date of the filing of this application. NO NEW MATTER is being added by way of this amendment.

☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

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PATENT

Also enclosed are the following:

- ☐ Information Disclosure Statement.
 - ☐ PTO Form 1449.
 - ☐ A copy of each of the references listed on the attached Form PTO-1449.
- ☐ An Associate Power of Attorney.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 C.F.R. §1.27 as:
 - ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization.
- ☒ Return Receipt Postcard (should be specifically itemized).

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FEE CALCULATION

NUMBERS OF CLAIMS ARE CALCULATED AFTER ENTRY OF ANY AMENDMENT AND IN VIEW OF ALL AMENDMENTS IN PRIOR APPLICATION			SMALL ENTITY		NOT SMALL ENTITY	
	No. Filed	No. Extra	RATE	FEE	RATE	FEE
BASIC FEE				\$370.00		\$740
TOTAL CLAIMS	12 - 20 = (minimum)	0	\$9 EACH	\$	\$18 EACH	\$
INDEP. CLAIMS	4 - 3 = (minimum)	1	\$42 EACH	\$42.00	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			\$140	\$	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME			\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME			\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME			\$460	\$	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME			\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME			\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID			minus	(\$)	minus	(\$)
<input type="checkbox"/> FEE FOR SUSPENSION OF ACTION			\$130		\$130	
TOTAL FEE DUE				\$412.00		\$

☐ A Check is enclosed in the amount of \$ _____

☐ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of @@ to and through @@ comprising an extension of the shortened statutory period of @@ month(s).

☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

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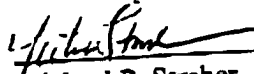
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- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☒ The foregoing amount due for filing this application.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).
- ☐ The Power of Attorney appears in the prior application.
- ☐ A new Power of Attorney is enclosed.
- ☒ Address all Correspondence as follows:

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SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: October 15, 2002


Michael P. Straher
Registration No. 38,325

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